



# Lake County Coastal Plan Committee Minutes

February 23, 2011

The Lake County Coastal Plan Committee hereby finds and determines that all formal actions were taken in an open meeting of the Lake County Coastal Plan Committee and that all the deliberations of the Planning Commission and its committees, if any, which resulted in formal actions, were taken in meetings open to the public in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Chairman Boyd called the meeting to order at 6:05 p.m. at the Lake County Planning Commission in Painesville. He welcomed Mr. Matt Scharver as the alternate for Amy Brennan of the Chagrin River Watershed Partners and new member Mark Cicero of North Perry Village Council. Mr. Larry Reichard, was introduced later in the meeting as the new Lake County Development Council representative.

## ATTENDANCE

The following members were present: Messrs. Allen, Bodnar, Cicero, Gilmer, Reichard, Rising, Scharver (alt. for Brennan), Stephenson, Welch and Ms. Neale. Staff present: Mr. Boyd, and Ms. Myers.

## MINUTES

Mr. Welch noted the December minutes should show Mr. Advay seconding the August 25, 2010 minutes.

Mr. Welch moved to approve the December 1, 2010 minutes with the above-mentioned change. Mr. Stephenson seconded the motion.

All voted "Aye".

## OLD BUSINESS

### Madison Township Parks

Madison Township received Lake County Port Authority funding of \$300,000 to start the beachfront enhancement project at the Madison Township Park at the end of Hubbard Road. They selected a firm and the design was reviewed and modified. The project went to permit stage and late this summer/early fall their engineer, Mr. Matricardi, started to get some odd vibes from the Army Corps of Engineers and the Ohio Department of Natural Resources on what the parameters of post construction would be, i.e. sand monitoring, bonding, etc. The Township began to be concerned about some of the fiscal restraints that this project may have on them. The largest concern at this point is the slush fund/bond and other unpredictable variables that the regulation agencies may be requesting. They had been planning to include more public access but a requirement to have a substantial amount of cash on hand to physically remove the project if the Corps thought it was necessary could change their plans.

Mr. Boyd, Mr. Allen and Mr. Loftus met with the Corps in January 2011 and about nine or ten of their division heads for about three hours. We were looking for some consistency in the rules so they could be applied in the field to all our projects. Our County is going to need to help in finding a better facilitation path between us, Buffalo, and the Sandusky offices in order for any of our projects to move forward.

Mr Boyd had talked to some folks in Eastlake who have a couple hundred thousand dollars for coastal enhancements and they are also worried about having dollars set aside to take something out. There is no rhyme or reason as to the parameters in which the regulatory agencies want us to work.

The Buffalo Corps and ODNR readily admitted that the North Perry Village situation had stumped them. They have never been confronted with these issues. Mr. Allen stated a project should not be stopped because of the updrift or downdrift. He explained that the project should go in and a plan should be developed to mitigate the updrift and downdrift sand issues with all parties engaged in the solution. We have unlimited amounts of sand available to us in this area. We could nourish the entire south shore. He would like to see them more focused on the solution, which can be resolved. Sand is a manageable thing.

Madison Township Park is currently being reviewed by Ohio EPA. Mr. Boyd spoke to Mr Advey last week. They will need a Corps approved bonding company to supply any necessary bonds. It is now to be determined whether this project is significant enough to require a bond or surety. There is no threshold which would signify the need for a bond. There is more to be determined here. The Trustees are still moving ahead on the project and, hopefully, this bond issue (if it is applied) would be a minimum amount. The actual price of the Madison Township project is about \$260,000, which was well under budget.

This is a huge obstacle for any and all of our projects. Tomorrow John Watkins, the ODNR Coastal Chief is coming to meet with Mr. Allen, Mr. Loftus and Mr. Boyd to talk about the big picture and then individual projects. Also, this could be a time to talk about the inconsistencies and to hear how ODNR works with the Corps. We hope to work on relationships with those in charge in both agencies.

Mr. Boyd also stated that the water monitoring the Corps wants to have done is too expansive. If your footprint is 1,000 by 500 feet, per the North Perry example, the monitoring area would need to be about triple that. This would drive bathymetry costs through the roof, which could be a deal breaker for most communities. The bonding potential, the excessive sand monitoring, and the Fairport Harbor dredging location are priority issues at this time.

Madison Township is looking to extend the due diligence period with the developer at Stanton Park.

#### Ashtabula County Coastal Project

Mr. Loftus and Mr. Boyd have been asked to participate in Ashtabula County's coastal plan. They met with a commissioner and a port authority director in October 2010 and gave them some guidance on grant opportunities to get their plan started. They applied for a grant through their Planning Department and are waiting to hear back. If they are not awarded the grant, the Ashtabula County Board of Commissioners will allocate the dollars to get their planning process underway. They asked that Mr. Loftus and I attend a meeting sometime in May. Mr. Boyd will be indirectly consulting with them on their project.

#### N. Perry Village

Mr. Cicero said they were concerned about the dredging to be done at Fairport Harbor. They are trying to work out an engineering solution for their sand problem. Hopefully, they will have an answer shortly. They will be calling us on the long-term engineering problem to try to fix this whole issue. He wasn't sure about how much Fairport was actually going to dredge. He was told there will be about 640,000 yards, but not all of it will be dropped on the nearshore. One of the debated points is their nearshore drop zone, which is pretty much right off Hardy Rd. in about two to three feet of water. What needs to be quantified is how fast that sand is moving downdrift, what it is impacting,

and possibly re-strategizing these drop zones if we have two or three coastal enhancements occurring as long as the materials meet the specifications and drop it onshore. The balance of the dredging goes to a spot offshore. There is a public hearing on March 1, 2011 at 6:00 p.m. at the Fairport Library on Vine Street to discuss the dredge. Mr. Loftus and Mr. Boyd plan to attend to see how they could work around this issue.

Of more concern, was that divisions between the Corps and DNR did not know that the dredge was occurring according to various sources. Various divisions had no idea that, in 2008 while reviewing a \$4 million marina project, there was going to be 80,000 cubic yards of sand being dumped in the nearshore. It might not have changed the design, but those in charge of the design would have liked to know how it would impact their project. We will closely follow this potential dredging issue along with the possibility of having the sand dumped on the shore. Sand quality is an issue. About 80% of sand dumped in two to three feet of water disappears quickly. Mr. Stephenson said Mentor moves 20,000 yards a year. Mr. Boyd will be more than happy to pass along any written comments to the agencies involved.

#### Perry Township

Perry Township also received some of the money that the Lake County Port Authority secured. The Trustees approved the first phase of this project, which was to pull back the bluff at Township Park at the end of Perry Park Rd. to a three-to-one slope. This was done this summer. They are moving ahead with a set of four offshore barriers; the plans were shown at the meeting. The project is being broken down into two phases. They are currently in permitting stages for phase one on the far east side of the project from the farmstead house all the way to the front of the new community center. Trustees indicated their concern about the sand pre-fill requirement, which is a standard requirement.

Mr. Boyd is planning to get construction costs on this project and compare them to the numbers that Madison Township received on breakwaters because he feels they are a lot more affordable than people think. If he could get two sets of figures and average them out based on water depths, he would have a case study of projects that he would be able to relay to other communities and private landowners. While pricy, it is not near what was first anticipated.

#### Eastlake City

Mr. Boyd talked with Mr. John Sima last week on the Eastlake Port Authority. They have about \$200,000 from the County Port Authority and are trying to determine the best expenditure of these funds. The County project with the offshore barrier and the big safe harbor at the First Energy fishing pier area jetting out into the Lake is about an \$8 million project. Another issue to consider within the river system was using funds for acquisitions of some of the properties. They have some other ideas such as armorstoning the face of the small island that has been preserved. Mr. Boyd met with the Western Reserve Land Conservancy, Chagrin River Watershed Partners, and Lake Metroparks who asked if we could give them an assessment on where they should put that \$200,000. We could protect the island with some armorstone and it might stop some of the erosion, but is it worth the expenditure? We used taxpayer dollars to acquire these five acres and it would protect our investment in this island. We also started pinpointing properties along the river that the landowners want to sell. It kind of works into our Master Plan to link below the Lakeshore Bridge, down the Chagrin River Park in Willoughby/Eastlake and then back up to the Lake. We met last Thursday and were all assigned individual tasks to do pursuant to island protection and riverfront property acquisition projects.

#### Willoughby City

The City of Willoughby is looking to do enhancements to the north end of the City at Osborne and Sunset Parks. Ideas discussed include a fishing pier, beach creation, community shelters and more amenity situations.

## **NEW BUSINESS**

Mr. Boyd hopes to get some productive direction at tomorrow's meeting from Mr. Watkins. Mr. Boyd had about five talking points he was hoping to discuss; one of them being the inconsistency in the regulations. He will send out an email to let those on this Committee know how that meeting goes. We may get out in the field and check out a couple of sites if the weather permits.

### Community Updates:

Painesville Twp. – Lee Bodnar: He passed out the Township's newsletter to members. The Trustees met with Todd Davis of Hemisphere the week before last and talked about the Lakeview Bluffs project north of Fairport Nursery Road. Their zoning is in place for this. Mr. Davis would not share a date of the groundbreaking for any building at this point in time. He did share that they are in the fortunate position of not being in a hurry financially. They can wait out the market until it is advantageous for them to move forward. They have addressed a lot of coastal erosion issues and have done a tremendous amount of environmental work. No tangible structures have been started. IMG contracts remain in place. They are also working with the new community authority through the ORC such as homeowner associations that give them the opportunity to be a part of the association and drive their own services for snow plowing, fire, police, etc. They will be an entity unto themselves but still subject to any of the community impositions as far as zoning and county regulations.

Lakeline – Debbie Neale: For the first time, they had about ten feet of beach because the water level is so low.

Mentor Port Authority – Chuck Stephenson: They are getting ready to dredge their channel. They will be moving 20,000 yards from the west and putting it on the east beach. Within three weeks to a month, this sand will be completely gone. They will be dredging as soon as the ice breaks up around March 7 and be done by April 15.

### Special Improvement District

Mr. Allen said the Lake County Port Authority is examining a Special Improvement District to assist essential properties by developing an area where we can contribute an investment or improvement. It could be used for something as miniscule as outdoor lighting or, more to our agenda, provide an opportunity to assist the private property owners to be able to afford improvement money for a barrier island in front of their property. They may not be able to pay for it at one time, but can on a 20- year basis. This whole process needs to be done by contiguous domain where your district can grow from existing options. The municipality could help by assessing the property owners who are putting in the improvement and basically encumbering the costs over a pre-defined length of time. Mr. Boyd stated, in light of the North Perry situation, they were trying to see what could be done to help the landowners in that situation and any lakefront landowner. Mr. Loftus looked at the ORC and believes this would be fairly doable as far as coastal in-the-water enhancements. We were always told we could not use public dollars to help private landowners. They are thinking, if they can do the engineering and get cost estimates on the improvement over a 20-year term and assess (maybe through their property taxes) that cost, it could work. Unfortunately, the landowners that need to pay are going to have to do that one way or another and they think this special improvement district, if they can help with the engineering costs and set up the legal framework for the district, could be a viable opportunity.

Mr. Boyd thought if he could get more cost estimates on publicly held projects, he could take these linear foot estimates for similar water depths and get a pretty good idea of what a project would cost. The Port Authority is running with the creation of this SID deal. They will go from there.

Willowick – Mark Rising: Their Planning Commission is still working on rezoning along the Lake and trying to clean up old ordinances. They are looking to rezone the area by City Hall to a multi-use type of property. East of Shoregate Towers, they are trying to determine to what degree they will go multi-family. They are trying to make it easier someday for a developer to come in and buy some of the properties without using eminent domain and develop something in which they would have some control. They want to make an activity center by the Lake. They are looking to make a denser (Legacy Village) type of residential to get more taxes because they do not have much industrial. Larimar activity was questioned and Mr. Rising said there seemed to be some activity on the west side of the creek and that he planned to go in there shortly and look at it. They have sold quite a few of the units on the east side where a six-story building was built. They are moving slower than they would like, but they are moving. Another six story building or maybe two may be built in the future. The developer spent a lot of money on that shoreline.

Commissioner Representative – Dave Gilmer: Next Monday morning everyone is invited to have an interchange with our State and Federal Legislative Breakfast at LaMalfa in Mentor at 7:30 a.m. The cost is \$20 and can be paid at the door. Congressman Steve LaTourette, State Auditor Dave Yost, Senator Tim Grendell, Representative Lorraine Fende, Representative Ron Young and Commissioner Ray Sines will be attending to present their ideas on legislature.

Ms. Neale said she was unable to be there but would appreciate someone asking the State Auditor the question, "How do they expect us to make up for the money they are going to cut from the local government funding?"

Mr. Boyd will report back on the ODNR meeting tomorrow. Mr. Klco has asked to be briefed. Please get any comments on the dredging to Mr. Boyd and the use of the sand. He and John Loftus would like to get one uniform Lake County comment to the EPA.

**NEXT MEETING:** Wednesday, May 25, 2011. Location to be determined. (Ms. Neale offered to hold the August meeting at Lakeline Village.)

#### **ADJOURNMENT:**

Mr. Bodnar moved to adjourn the February 23, 2011 meeting at 7:13p.m. Mr. Rising seconded the motion.

All voted "Aye".